

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:

John GRIFFITS and Yvonne GRIFFITS

Group Art Unit: 2609

Examiner: Yong Hang Jiang

For: **Identification and selection of locks for use with keys**
Application Number 10/524,333

RESPONSE TO YOUR DETAILED ACTION MAILING DATE 10/31/2007

MAIL STOP PCT
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir

Claims rejection on the basis of Obviousness:

1) As earlier mentioned in our telephone conversation we do not believe that the Trimble et al (US 2002/01260010) should have been cited as its publication date 09/2002 is later than the priority date of the present application, that is a national entry from PCT/AU2003/001029 Filed August 14th 2003 with a Priority date August 14th 2002 (based on Australian Provisional Application 2002950762).

Furthermore we respectfully disagree that Trimble taught a method to adapt the Pires document to include 'an input to receive a signal associated with the lock, a computer comprising memory storage to store a plurality of lock identifiers each related to an associated key; and a plurality of lock identifiers associated with the key identifiers'.

Trimble describes a device to send a radio signal to a particular device attached to an object (for example a key). For a collection of these devices in the possession of a user, the user would need to still identify which one to select to find the desired object. Trimble makes use of a label on the device to identify the correct control unit for a particular object. This is no different to a bunch of keys each key with a label that needs to be manually read to find the correct key. The objective of

our invention is to avoid the need to manually search for an object. Trimble does disclose a unit to search for multiple objects, however this essentially bundles a plurality of the single units. It does not disclose a means to input lock identifying information, provide this to a relational database means (or equivalent) and receive a signal related to the key. The Trimble disclosure does not have any cross reference to plural locks and keys. It does not even disclose a reference to information referencing a single lock key /pair - it is just a button one pushes that operates a radio unit to output a signal to a receiver coupled to the lost object..

2) We further argue that the Pires disclosure would require substantive changes to make it suitable for use as a personally portable device suitable for identifying a particular key for a lock and that these changes do require inventive steps that are disclosed in our specification (for example inventive steps to reduce the size of components). We reserve our arguments against the Pires citation as they may not be necessary pending clarification of the Trimble citation and your response to this.

Your Objection to the introduction of 'New Matter'.

1) Use of the term 'electrically operable indicator'.

The use of the term 'electrically operable indicator' to facilitate the correct key for use with a lock is referenced throughout the documentation - both explicit and implicit.. Many examples of various non-limiting examples are provided.

Please refer to the original PCT Application forming the basis of entry into the National Phase, for example:

Pg 3 lns 6 - 10; Pg 13 lns 17-37; Pg 18 lns 4-13.

Furthermore the drawings show the wiring of indicators to a switchable power source. The specification describes display and speaker means to provide information to facilitate the appropriate key for a particular lock that may also function as an electrically operable indicator for a particular key(s). The specification also describes a plurality of electronic accessories for attachment to and powering by the portable electronic device.

The phrase 'electrically operable and or addressable indicator' was also used in the Claim 10 of the PCT Application as originally published.

One with basic knowledge of the art would appreciate that part of the invention is an electrically

operable indicator. Furthermore, although this information is scattered throughout the specification and might have been better consolidated (which we attempted to do in the previously provided amended specification) this does not preclude its use in claims.

2) Use of the term 'key identifier' is clarified in Claim 59 as 'comprising information related to' the keys. Claim 86 references examples of this type of identification information that is disclosed in the specification. The specification also states that these examples are non-limiting. Please refer to the original PCT Application forming the basis of entry into the National Phase, for example:

pg 35 ln28 through pg38 ln 12 (in particular pg 36 ln 12 that specifically references a stored key ID and or stored lock ID);

pg 16 lns 26-36

pg 12 ln 26 through pg 13 ln12.

While it may be irrelevant to the present prosecution, we wish to advise that the term 'key identifier' is used in the corresponding application in the UK - now granted as GB 2411691 B.

Changes to the Specification.

Would you please replace pages 17 through 24 of the specification filed with you on the 27th July 2007 with the replacement pages 17 through 24 filed with this letter.

A marked up copy showing the changes and a clean copy of the relevant pages are provided.

1) The heading for the start of the description with reference to the drawings commencing at Page 17, paragraph [0099] has been changed from:

"Preferred Embodiment" to "DETAIL DESCRIPTION OF THE INVENTION WITH REFERENCE TO THE DRAWINGS"

2) The numerical reference to the drawing has been changed from words to actual number (eg 'one' changed to '1'). This affects the following paragraphs:

Para [0101]; Para [0103]; Para [0114]; Para [0116]; Para [0117]; Para [0118]; Para [0120]; Para [0125]; Para [0128]; Para 0129]; Para [0133] and Para [0141].

Would you also please note that a typo has been fixed in Para [0141] namely: the word 'tansferred' has been corrected to 'transferred'.

New Claims listing.

The claims have been modified to overcome your previous objections. Would you please replace the existing claim set with the new claims set accompanying this letter. A marked up claims listing is provided together with a clean copy. The claims listing comprises claims 1 through 97

Yours Sincerely

/John Philip GRIFFITS/
John Philip GRIFFITS

Date February 29th 2008.

/Yvonne Sylvia GRIFFITS/
Yvonne Sylvia GRIFFITS

Date February 29th 2008.